

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DOUGLAS L. POWELL,)
)
Plaintiff,)
)
vs.) Case No. 4:05CV01868 ERW
)
FORD MOTOR COMPANY,)
)
Defendant.)

MEMORANDUM AND ORDER

This matter comes before the Court upon Defendant's Motion for Attorney Fees [doc. #15].

On April 12, 2006, the Court granted Defendant's Motion to Dismiss and Request for Sanctions. *See* Mem. and Order (Apr. 12, 2006) [doc. #13]. In that Order, the Court stated that, as a sanction for his bad faith litigation conduct, Plaintiff would be ordered to pay the attorneys' fees reasonably and necessarily incurred by Defendant in this case. The Court ordered Defendant to file a Statement of Attorneys' Fees. The requested information is contained in Defendant's Motion for Attorney Fees [doc. #15], which was filed on April 24, 2006. Plaintiff has not responded to Defendant's request.

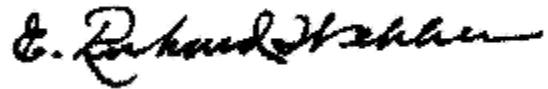
Defendant states that it has incurred reasonable attorneys' fees in the amount of \$7,588.00, billed at rates ranging from \$150 to \$220 per hour. In support of its Motion, Defendant attaches an affidavit from Nicholas L. Divita, counsel for Defendant, and corresponding billing statements. A review of the time entries reveals that the fees claimed by Defendant were reasonably and necessarily incurred. Moreover, Plaintiff has not contested any of the requested fees. Therefore, the Court will order Plaintiff to pay \$7,588.00 to Defendant as a sanction for his bad faith litigation conduct.

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion for Attorney Fees [doc. #15] is **GRANTED**. Plaintiff shall pay \$7,588.00 to Defendant as a sanction for his bad faith litigation

conduct.

Dated this 16th day of June, 2006.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE